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*Attorneys for Plaintiff Depomed, Inc.*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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DEPOMED, INC.,

Plaintiff,

v.

ACTAVIS ELIZABETH LLC, ACTAVIS, INC.,  
INCEPTA PHARMACEUTICALS CO. LTD.  
and ABON PHARMACEUTICALS, LLC

Defendants.

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Civil Action No. 3:12-CV-01358 (JAP) (TJB)

**NOTICE OF MOTION IN LIMINE  
NOS. 3 – 5 TO EXCLUDE EXPERT  
TESTIMONY THAT DOES NOT  
COMPLY WITH *DAUBERT***

To: All Counsel of Record

PLEASE TAKE NOTICE that Plaintiff Depomed, Inc. (“Depomed”) shall move *in limine* before the Hon. Joel A. Pisano, U.S.D.J., on May 5, 2014, to Exclude Testimony That Does Not Comply With *Daubert*.

PLEASE TAKE FURTHER NOTICE that Depomed submits the Declaration of Daniel K. Greene, Esq. and a Memorandum of Law in support of this motion. A proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Respectfully submitted,

s/ Leda Dunn Wettre  
Leda Dunn Wettre

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*Attorneys for Plaintiff Depomed, Inc.*

Dated: April 22, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that on April 22, 2014, I caused the foregoing Notice of Motion *in Limine*, together with a supporting Declaration of Daniel K. Greene, Esq., a Memorandum Law and a proposed form of Order, to be filed and served by CM/ECF and e-mail upon all counsel of record.

s/ Leda Dunn Wettre  
Leda Dunn Wettre

Dated: April 22, 2014